

**WPA 24242 of 2014**

**Anindya Sundar Das**

**Vs.**

**The State of West Bengal & Ors.**

(Through Video Conference)

Mr. Saikat Dhar

... ... for the petitioner

Mr. S.N. Mookherjee, AG

Mr. Anirban Ray, GP

Mr. T.M. Siddiqui

Mr. Raja Saha

Mr. Nilotpal Chatterjee

... ... for the State

Status report in the form of affidavit on behalf of respondent no. 7 is taken on record.

The submission of learned counsel for the petitioner is that it is not a case of suicide but a case of gang rape and murder and that the victim's husband was a CPI(M) local committee member, therefore, after the election he has been victimized.

Submission of leaned counsel for the State is that due inquiry was conducted, thereafter the charge-sheet was filed which resulted into trial and acquittal.

Having heard the learned counsel for the parties and perusal of the record, it is noticed that the present petition is at the instance of a practicing lawyer of this Court based upon the newspaper reports.

It is alleged in the petition that the victim, a resident of Sunia Village, P.S. – Contai, District – Purba Medinipur, was gang raped and murdered by members of one of the political party and that as per the newspaper report the police authorities had stated the incident to be a case of suicide.

In this background, a prayer was made to form SIT for the purpose of investigation.

The report in the form of affidavit file by the respondent reveals that initially P.S. case no.307/14 under sections 306/34 was registered but on the basis of the complained filed by the husband of the victim, the offence under sections 376(D)/302 of the IPC was added and in that complaint the names of 12 persons were disclosed. I.O. had arrested the accused persons and thereafter investigation took place wherein in the PM report it was opined that the death was due to hanging to be confirmed by CE & CEVP. The report further reveals that viscera, vaginal swab, wearing apparels were sent to the FSL. After investigation charge-sheet no. 49/15 dated 05.02.2015 against 16 accused persons was filed in which trial took place which resulted into the judgement of acquittal by Assistant Sessions Judge, Contai.

In view of the aforesaid development, we are of the opinion that at this stage no further direction in this petition is required. Even otherwise, the entire petition was based upon the newspaper reports and nothing

substantial has been filed along with petition to substantiate the claim of the petitioner.

Hence, the writ petition is dismissed.

**(Prakash Shrivastava, C.J.)**

**(Rajarshi Bharadwaj, J.)**